

Proposed City of Frisco 2009 State Legislative Agenda

Revenue

Support:

- Amendments to the Truth-in-Taxation Law (Chapter 26 of the Texas Property Code) to exclude debt service for voter authorized debt from the calculation of the rollback rate.
- Disclosure of property sales price to improve accuracy of appraisals.

Oppose legislation that would:

- Diminish the ability of cities to utilize 4A & 4B sales tax for economic and community development.
- Divert sales tax from point of sale cities to destination cities.
- Expand sales and property tax exemptions or reduce the appraisal growth cap.
- Impose restrictions on use and structuring of Tax Increment Financing.
- Impose revenue caps of any type, including a lowered rollback rate, mandatory tax rate ratification elections, or lowered rollback petition requirements.
- Remove factors accounting for growth from truth-in-taxation laws.
- Make property tax deferrals or exemptions automatic or mandated.

Development

Support:

1. Repeal of the portion of the Local Government Code in Chapter 245 that deals with application for a permit (Section 245.002, Paragraphs (a) Process and (e) Expiration.
2. Exemption of landscaping requirements that conserve water from the vesting requirements of Chapter 245 of the Local Government Code.
3. Legislation that would allow a city to enforce its codes and ordinances in its ETJ
4. Changes to Chapter 245 of the Local Government Code (relating to permit vesting), including but not limited to improved definitions of project, permit, progress toward completion, and Imminent threat.
5. Allowance for cities to specify affordable housing in new developments.
6. Changing the point of collection for impact fees from permit to final plat.
7. Allowance of Home Rule cities to override the TXDOT Access Management Standards.
8. Limitations on size of political signage and the duration of display.
9. Establishment of municipal authority to hold an election on requiring the burial of electric utilities, the results of which would be binding on the PUC in the development of their rate tariffs.
10. Greater local regulatory oversight of intra-state gas utilities.

Oppose legislation that would:

1. Allow vesting at zoning. This would seriously limit a city's ability to improve their development standards that improves the citizens' quality of life.
2. Expand vesting provisions of Chapter 245 of the Local Government Code.
3. Erode city's rights regarding annexation and the assessment of impact fees.
4. Diminish municipalities' authority to regulate signage.

5. Diminish cities' abilities to protect natural resources.
6. Erosion of a city's ability to condemn property for a public purpose, specifically legislation that would (a) enact constitutional amendment restricting the use of eminent domain; (b) place eminent domain restrictions on cities that are more burdensome than those placed on the state; (c) provide for retroactive application of any eminent domain provisions; (d) erode municipal authority to engage in urban renewal efforts; (e) provide an excessive amount of damages to a property owner whose property is acquired through eminent domain; (f) amend current law relating to subsequent repurchase of land acquired through eminent domain; or (g) amend the definition of "public use" to include any restriction on traditional public projects that may include some incidental private component or that would otherwise require exclusive possession, use, or occupation by the public.
7. Erode municipal authority in the ETJ
8. Place limitations on building permit fees.

Utilities

Support:

- Full deregulation of the retail electric market including coops.
- Legislation of utility companies to provide funds for maintaining and improving the infrastructure to maintain and support economic development.

Transportation

Support:

- Passage of the Regional Transit Initiative (RTI).
- Protection of Texas highways from being sold to private companies.
- Blocking the conversion of Gas Tax funded roadways into Tollways.
- Expansion and protection of transportation funding:
 - Constitutionally protect all revenues in Fund 006;
 - Discontinue the diversion of transportation resources
 - Increase and index transportation taxes, such as the motor fuels tax
 - Provide funding for the proposition 12 general obligation bonds
 - Reallocate highway user fee revenues from the General Revenue Fund to the Texas Mobility Fund.

Public Safety

Support:

- Restrictions to the discharge of firearms within city limits.
- Municipal authority to regulate specific breeds of domestic canines (pit bulls); sterilization of same.

Human Resources

Oppose legislation that would:

- Expand meet and confer statutes as they presently exist.
- Expand or provide substantive changes to the scope of S.B. 310 –Presumption for firefighters and EMTs that a disease or condition is work-related.
- Place any mandatory or minimum staffing levels of Fire Departments.

Municipal Court

Support:

- Legislation requiring certain types of class 'c' violations that may be dismissed upon proof of compliance uniform \$20 dismissal fee by the twentieth working day following the date of the citation. Currently they vary from offense to offense on the number of days to correct the violation and the fee to assess.
- Amending Section 42.12 of the Code of Criminal Procedures to prevent Commercial Driver's License holders from being able to mask moving traffic violations from the municipal court of original jurisdiction through deferred adjudication for moving traffic violations appealed from the municipal court of original jurisdiction.
- Amending Section 3.03(a) of the Penal Code to ensure that class 'c' misdemeanors which are fine only offenses are not to "run concurrently" and that each judgment must be satisfied separately.
- Amending Article 103.0031 of the Code of Criminal Procedures to remove the population requirement for retaining a 30% collection fee locally to fund municipal court collection programs.
- The formation of a statewide warrant database that includes class 'c' misdemeanor warrants.
- Legislation providing for the suspension of adult drivers' licenses for failure to appear or non-compliance with judicial orders (this includes failure to pay fines.)
- Legislation to make Office of Court Administration court collection improvement programs voluntary and add the incentive of retaining an additional 3% of court costs in collection fees (these fees are currently 5% and 10% for certain State fees collected.)
- Amending Article 27.14(b) of the Code of Criminal Procedures which requires a notice be sent certified mail if a plea is received by the court with no or partial payment. Introduced legislation would amend this article to only require regular mail or electronic notice be sufficient.
- Amending Article 102.0031 of the Code of Criminal Procedures to allow a collection fee to be added to cases with violation dates prior to June 18, 2003 for cases sent to an outside collection agency.

Environment

Support:

- Positions taken by the Texas Clean Air Cities Coalition regarding the air quality permitting process, particularly as they relate to power plants.
- Funding for research and development of alternative energy sources to reduce the carbon footprint.
- Additional funding for municipalities in non-attainment areas to reduce emissions and improve air quality.
- Allowance for the use of compost/wood waste materials as an alternative daily cover for landfill.

Oppose legislation that would:

- Enact mandatory water rates or water rate structures.

- Erode local control over municipal water systems or conservation measures.

Purchasing

Support:

- Revision of Chapter 252.041. NOTICE REQUIREMENT to revise notice of bid from being published at least once a week for two consecutive weeks in a newspaper published in the municipality to once in a newspaper published in the municipality if also being published electronically

Elections

Support:

- Requirements that voters show photo identification.

Education

Support:

- A cap on the number of students admitted to state universities under the top ten percent rule.